

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

v.

MARK AVERY RUDD

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CASE NO. 1:18-CR-16

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The court referred a petition alleging violations of supervised release conditions to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence.

At the close of the revocation hearing, U.S. Magistrate Judge Zack Hawthorn recommended:

1. that the court find that the Defendant violated the third allegation in the petition that he failed to follow a mandatory condition of release;
2. revoking the Defendant's supervised release pursuant to 18 U.S.C. § 3583; and
3. the Defendant should be sentenced to a term 10 months' imprisonment (which includes 143 days of unserved community confinement converted to an equivalent term of imprisonment), with no supervised release to follow. This sentence shall be served consecutively with the imprisonment sentences imposed in Cause Nos. 179877401010 and 186220101010, 176th District Court, Harris County, Texas. His term of imprisonment should be served at the Federal Correctional Institute in Beaumont, Texas, if the Bureau of Prisons can accommodate such request

At the close of the revocation hearing, the Defendant, defense counsel and counsel for the Government each signed a standard form waiving their right to object to the proposed

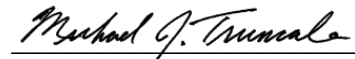
findings and recommendations contained in the magistrate judge's report, consenting to revocation of supervised release and imposition of the sentence recommended. The Defendant also waived his right to be present with counsel and to speak at sentencing before the court imposes the recommended sentence.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that the petition is **GRANTED** and Mark Avery Rudd's supervised release is **REVOKED**.

Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

SIGNED this 9th day of September, 2024.



Michael J. Truncale
United States District Judge